



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

August 26, 2014

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**HEARING ON THE SANTA MONICA MOUNTAINS LOCAL COASTAL  
PROGRAM AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION,  
CONSISTING OF PLAN AMENDMENT 2006-00008-(3), ZONE CHANGE  
NO. 2006-00009-(3), AND CHANGES TO TITLE 22 (ZONING ORDINANCE)  
(THIRD SUPERVISORIAL DISTRICT) (3 VOTES)**

**SUBJECT**

The California Coastal Act (Coastal Act) requires coastal cities and counties to manage the conservation and development of coastal resources through a comprehensive planning and regulatory program called a local coastal program (LCP). On February 18, 2014, the Board approved an LCP for the Santa Monica Mountains Coastal Zone (Coastal Zone) for submittal to the California Coastal Commission (Coastal Commission). The Coastal Commission subsequently approved the LCP subject to suggested modifications. It is the LCP with the Coastal Commission's suggested modifications that will now be considered by the Board.

**IT IS RECOMMENDED THAT THE BOARD, AFTER THE PUBLIC HEARING:**

1. Approve a resolution adopting the Santa Monica Mountains Local Coastal Program (SMM LCP), including its Land Use Plan (LUP) and Local Implementation Program (LIP) as certified by the Coastal Commission that indicates the following:
  - a. Finds that the SMM LCP does not require an accompanying environmental document under the California Environmental Quality Act (CEQA) because it includes the preparation and adoption of an LCP under Section 21080.9 of the California Public Resources Code;

- b. Acknowledges that the Board received the Coastal Commission's resolutions of certification of the LUP and LIP with the Coastal Commission's suggested modifications to both the LUP and LIP and accepts and agrees to the Coastal Commission's suggested modifications to the LUP and LIP;
  - c. Finds that the SMM LCP, including the LUP and LIP, as certified by the Coastal Commission, is consistent with the Coastal Act; and
  - d. Certifies that, when effective certification occurs as determined by the Executive Director of the Coastal Commission and jurisdiction is delegated to the County, the County will carry out the SMM LCP, consisting of the LUP and LIP, in full conformity with the Coastal Act including issuing coastal development permits as required by the Coastal Act.
- 2. Adopt Zone Change No. 2006-00009-(3), an ordinance to change the zoning designations in the Coastal Zone as part of the LIP as certified by the Coastal Commission to take effect when effective certification of the SMM LCP occurs and jurisdiction in the Coastal Zone is delegated to the County; and
  - 3. Adopt a Zoning Ordinance to establish regulations in the County Zoning Ordinance applicable to the Coastal Zone to take effect when certification of the SMM LCP becomes final.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Coastal Act requires coastal cities and counties to manage the conservation and development of coastal resources through a comprehensive planning and regulatory program called an LCP. An LCP is comprised of an LUP and other actions to implement the LUP including zoning and subdivision ordinances and a zoning consistency program. Currently, the County does not have an LCP for this Coastal Zone. Although the County has a certified LUP (the 1986 Malibu Land Use Plan, or LUP), the implementing measures were not completed. As a result, applicants currently need to obtain coastal development permits through the Coastal Commission rather than the County.

Under the proposed SMM LCP, the 1986 LUP will be replaced by a new LUP containing many of the goals and policies of the 1986 plan, but revised and updated to reflect current policy practices of the County and the Coastal Commission. The new LUP format and many of its goals and policies are similar to the Santa Monica Mountains

North Area Plan, which was adopted by the Board in 2000 and guides development in the unincorporated portion of the Santa Monica Mountains north of the Coastal Zone. Several maps are part of the new LUP, including Land Use Policy, Biological Resources, Scenic Resources, and Recreation. Along with the Zoning Consistency Program, the principal vehicle by which the LUP will be implemented is the proposed LIP. The LIP is proposed as part of the modifications to Title 22 (see attached LUP and LIP).

The proposed zone changes are necessary to make the zoning consistent with the Land Use Policy Map (see attached zoning maps). The preparation of the proposed SMM LCP is necessary to comply with the Coastal Act, and certification will restore coastal development permitting authority to the County.

The adoption of the SMM LCP is also justified by its support of the horsekeeping tradition of the Santa Monica Mountains, a recreational activity. The horsekeeping provisions of the LCP are more permissive than the current Coastal Commission practice. Notably, small-scale backyard horse boarding would be allowed, and equestrian facilities would be permitted in more areas than where current Coastal Commission practices allow such facilities to be built. In addition, the LCP provides a pathway to conformity for owners of existing horse facilities that were not built with all of the permits that were required when the facility was first constructed.

### **Implementation of Strategic Plan Goals**

The proposed SMM LCP promotes the County's Strategic Plan goal of Service Excellence. When the proposed SMM LCP is certified by the Coastal Commission, the County will have the authority to issue coastal development permits, thereby eliminating the need for most applicants to obtain approval from the Coastal Commission. Furthermore, the SMM LCP also promotes service excellence through its special compliance program for horse facilities. This program provides owners of such facilities the possibility of gaining legal status, instead of leaving them subject to the Coastal Commission's enforcement process. The proposed SMM LCP has been carefully researched and analyzed to ensure that it is protective of public health and safety and the environment and is responsive to public concerns.

The proposed SMM LCP also promotes the County's vision for improving the quality of life in Los Angeles County. The proposed SMM LCP will help to protect an area that provides the Los Angeles metropolitan region with a wide range of resource-based recreational opportunities. One of the main goals of the SMM LCP is to protect the natural terrain throughout the mountains. This natural terrain contains numerous hiking and horseback riding trails enjoyed by residents and visitors to the area, and is essential

to maintaining the area's well-known scenic beauty and equestrian tradition.

### **FISCAL IMPACT/FINANCING**

Implementation of the proposed SMM LCP will result in new costs to the Department of Regional Planning associated with processing coastal development permits. However, the proposed SMM LCP contains fees that are intended to recover the full cost for services provided in reviewing, evaluating, and monitoring projects within the Coastal Zone. The fees contained in the proposed LCP are based on fees previously adopted by the Board. Implementation of the LCP will not result in additional net recurring costs to the County. However, the LCP does include a requirement for an outreach program to publicize the special compliance program for existing horse facilities. The Department of Regional Planning will request funds in its supplemental budget to cover this outreach program.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Protecting coastal resources and managing the conservation and development of coastal resources through a comprehensive planning and regulatory program are required by the California Coastal Act of 1976 as amended and contained in the California Public Resources Code (Section 30000 et seq.). The Coastal Act created a zone along the State's 1,100-mile coastline that must be protected to preserve the State's coastal resources. The Coastal Act directs "[each] local government lying, in whole or in part, within the Coastal Zone" to prepare an LCP for its portion of the Coastal Zone (Section 30500). The Coastal Zone extends approximately five miles inland from the coast and encompasses nearly 80 square miles.

The Coastal Act allows the County to segment the planning area within its Coastal Zone (Section 30511). The County has divided its Coastal Zone into three areas: Marina del Rey, Santa Catalina Island, and the Santa Monica Mountains. Due to their very unique characteristics, the County chose to create a separate LCP for each Coastal Zone area. Marina del Rey and Santa Catalina Island each have their own certified LCPs. The County does not have a fully certified LCP for the Santa Monica Mountains. Certification of this LCP by the Coastal Commission is necessary before coastal development permitting authority can be transferred to the County.

After conducting public hearings on February 11, 2014, and February 18, 2014, the Board approved the SMM LCP for submittal to the Coastal Commission. At public hearings on April 10, 2014, and July 10, 2014, and as is customary, the Coastal Commission denied certification of the LCP as submitted by the County, but approved an LCP subject to the Coastal Commission's suggested modifications. It is the LCP



with the Coastal Commission's suggested modifications that will be considered by the Board. If the Board of Supervisors concurs with the Coastal Commission's action and accepts the certification with suggested modifications, this action is reported back to the Coastal Commission's Executive Director. The Executive Director has the authority to determine that the LCP is fully certified, and reports this to the Coastal Commission. If there is no objection to his determination, the Executive Director notifies the County that the LCP is effectively certified and that jurisdiction for issuing permits is returned to the County.

Similar to the outreach effort that took place before the February 11, 2014, public hearing, the County made extensive public outreach to encourage participation prior to this public hearing. Among the steps the County took were to publish notices in the Malibu Times and the Los Angeles Daily News, distribute approximately 6,000 notices, post all documents on the County's website for free public review, and place hard copies in six local libraries, the office of the Resource Conservation District of the Santa Monica Mountains, the Coastal Commission's office in Ventura, the Los Angeles County One-Stop Center in Calabasas, the Third Supervisorial District Office in Calabasas, and the Department of Regional Planning office in downtown Los Angeles. As part of the public outreach effort for the SMM LCP, the County has also met with representatives of more than 35 homeowners' organizations, community groups, recreational, equestrian, and environmental organizations. County staff has also answered questions from the public as they arose.

The County has elected to take the steps of considering the acceptance of the Coastal Commission's certification with suggested modifications together with the adoption of all necessary documents to allow the SMM LCP to take effect after the Coastal Commission's final review. A public hearing by the Board on the proposed SMM LCP is required pursuant to Section 22.16.200 of the County Code and Section 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65856 relating to notice of public hearing.

### **ENVIRONMENTAL DOCUMENTATION**

Local governments are not required to undertake formal environmental analysis for the preparation of an LCP. The Coastal Commission's review process for local coastal programs and amendments to them has been certified by the Secretary of Resources as being the functional equivalent of environmental review under the CEQA. As such, the County is not required to prepare a CEQA document for the proposed SMM LCP.

### **IMPACT ON CURRENT SERVICES**

Adoption of the proposed LCP will improve planning services to applicants who wish to develop or improve their property in the Coastal Zone. When the LCP is certified by the Coastal Commission, applicants will be able to obtain coastal development permits directly from the County rather than the current process of first obtaining an Approval-in-Concept from the County and then the actual Coastal Development Permit from the Coastal Commission. In addition, the LCP includes a special compliance program for existing horse facilities that were built without all required permits from the Coastal Commission. This new service provides owners of such facilities the possibility to gain legal status for their facility.

### **CONCLUSION**

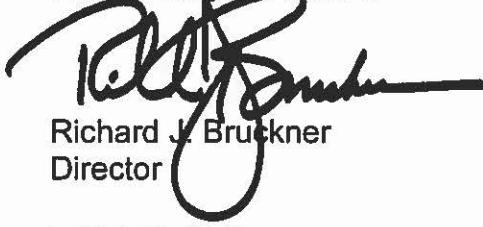
In sum, the SMM LCP offers the opportunity to permanently codify several central themes of coastal protection, as well as provide predictability for the County, the Coastal Commission, and property owners. The stability of land use regulation afforded by this SMM LCP will greatly enhance the delivery of coastal benefits, together with the land regulation and land acquisition components. The certification of the LCP is thus a superior way to carry out Coastal Act policies as compared with the case-by-case approach currently used. Certifying the LCP represents a significant improvement to current practices, fulfills a long-overdue requirement of State law, and sets a new and lasting standard for environmental protection in the Santa Monica Mountains.

After the Board adopts the Resolution approving the SMM LCP, the zone change, and the zoning code ordinance amendments as approved by the Coastal Commission, the SMM LCP will be able to be deemed certified by the Executive Director of the Coastal Commission. Thereafter, the SMM LCP, including the LUP and LIP will be final and take effect and implemented by the County. Enclosed for your consideration is a Resolution, necessary zone change ordinance and zoning code ordinance, which have been reviewed and approved by County Counsel.

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If you have any questions regarding the proposed SMM LCP, please contact Joshua Huntington at (213) 974-6465. Mr. Huntington may also be reached at [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov).

Respectfully submitted,



Richard J. Bruckner  
Director

RJB:MC:JH:jh:ems

Attachments:

1. Coastal Commission Action Letter and Final Suggested Modifications to the Los Angeles County-Santa Monica Mountains Land Use Plan Amendment dated May 21, 2014
2. Coastal Commission Action Letter and Final Suggested Modifications to the Los Angeles County-Santa Monica Mountains Local Implementation Plan dated July 17, 2014
  - Attachment A: Proposed Local Implementation Plan with Suggested Modifications approved by the Coastal Commission on July 10, 2014
3. Proposed Santa Monica Mountains Local Coastal Program Land Use Plan (LUP)
4. Proposed Santa Monica Mountains Local Coastal Program Local Implementation Program (LIP)
5. Proposed Board Resolution Adopting the Santa Monica Mountains Local Coastal Program
6. Legal Notice of Board Hearing
7. List of Persons Who Were Notified

c: Executive Office, Board of Supervisors  
County Counsel  
Chief Executive Officer  
Fire Department  
Beaches and Harbors  
Parks and Recreation  
Public Health  
Public Works